

107TH CONGRESS
1ST SESSION

H. R. 1473

To provide for expedited consideration by Congress of supplemental appropriations bills for the Department of Defense and the Coast Guard to meet critical national security needs.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2001

Mr. JONES of North Carolina introduced the following bill; which was referred to the Committee on Rules

A BILL

To provide for expedited consideration by Congress of supplemental appropriations bills for the Department of Defense and the Coast Guard to meet critical national security needs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Military
5 Supplemental Procedures Act”.

1 **SEC. 2. EXPEDITED CONGRESSIONAL CONSIDERATION OF**
2 **CERTAIN DEFENSE SUPPLEMENTAL APPRO-**
3 **PRIATIONS BILLS.**

4 (a) QUALIFYING BILL.—This section applies with re-
5 spect to a qualifying defense supplemental appropriations
6 bill. For purposes of this section, the term “qualifying de-
7 fense supplemental appropriations bill” means a bill that
8 states that the purpose of the bill is to meet critical na-
9 tional security needs and that otherwise only makes sup-
10 plemental appropriations for any fiscal year for one or
11 more of the following purposes:

12 (1) Operation and maintenance for the Depart-
13 ment of Defense.

14 (2) Military personnel for the Department of
15 Defense.

16 (3) Procurement of ammunition for the Depart-
17 ment of Defense.

18 (4) Procurement for the Department of Defense
19 (other than ammunition) to replace a loss or expend-
20 iture of material.

21 (5) Defense Health Program.

22 (6) Military construction to repair or replace
23 structures damaged or destroyed by natural disaster.

24 (7) Operating expenses of the Coast Guard.

25 (b) CONSIDERATION IN THE HOUSE OF REPRESENT-
26 ATIVES.—A motion in the House of Representatives to re-

1 solve into the Committee of the Whole House on the State
2 of the Union for consideration of a qualifying defense sup-
3 plemental appropriations bill reported from the Committee
4 on Appropriations shall be decided without intervening
5 motion. A motion to reconsider the vote to resolve into
6 the Committee of the Whole is not in order. Consideration
7 of the bill in the Committee of the Whole may not extend
8 for a period in excess of 10 hours. When the Committee
9 on the Whole rises and reports the bill to the House, the
10 previous question shall be considered as ordered on the
11 bill to final passage without intervening motion except one
12 motion to recommit with or without instructions. A motion
13 to reconsider the vote by which the bill is passed is not
14 in order.

15 (c) CONSIDERATION IN SENATE.—(1)(A) A quali-
16 fying defense supplemental appropriations bill shall be
17 considered in the Senate in accordance with the provisions
18 of this subsection.

19 (B) Such a bill received in the Senate from the House
20 of Representatives shall be held at the desk in the Senate
21 and may be considered in the Senate only in accordance
22 with subsection (d). Such a bill introduced in the Senate
23 shall be referred to the Committee on Appropriations of
24 the Senate.

1 (2) If after a period of 10 legislative days after the
2 date of referral to it of a qualifying defense supplemental
3 appropriations bill the Committee on Appropriations of
4 the Senate has not reported the bill, that committee shall
5 be discharged from further consideration of the bill and
6 the bill shall be placed on the appropriate calendar.

7 (3) On or after the third legislative day after the date
8 on which the Committee on Appropriations has reported,
9 or has been discharged (under paragraph (2)) from fur-
10 ther consideration of, a qualifying defense supplemental
11 appropriations bill, it is in order (even though a previous
12 motion to the same effect has been disagreed to) for any
13 Member of the Senate to move to proceed to the consider-
14 ation of the bill. A Member may make the motion only
15 on the day after the calendar day on which the Member
16 announces to the Senate the Member's intention to make
17 the motion. The motion is privileged and is not debatable.
18 The motion is not subject to amendment, or to a motion
19 to postpone, or to a motion to proceed to the consideration
20 of other business. A motion to reconsider the vote by
21 which the motion is agreed to or disagreed to is not in
22 order. If a motion to proceed to the consideration of the
23 bill is agreed to, the Senate shall immediately proceed to
24 consideration of the bill without intervening motion, order,

1 or other business, and the bill shall remain the unfinished
2 business of the Senate until disposed of.

3 (4) Debate on the bill, and on all amendments thereto
4 and debatable motions and appeals in connection there-
5 with, shall be limited to not more than a total of 10 hours,
6 which shall be divided equally between those favoring and
7 those opposing the bill. A motion to postpone, or a motion
8 to proceed to the consideration of other business, or a mo-
9 tion to recommit the bill is not in order.

10 (5) Debate on any amendment to the bill shall be lim-
11 ited to two hours, to be equally divided between, and con-
12 trolled by, the mover and the manager of the bill, and de-
13 bate on any amendment to an amendment, debatable mo-
14 tion, or appeal shall be limited to one hour, to be equally
15 divided between, and controlled by, the mover and the
16 manager of the bill, except that in the event the manager
17 of the bill is in favor of any such amendment, motion, or
18 appeal, the time in opposition thereto shall be controlled
19 by the minority leader or his designee. No amendment
20 that is not germane to the provisions of the bill shall be
21 received.

22 (6) A motion to further limit debate is not debatable.
23 A motion to recommit (except a motion to recommit with
24 instructions to report back within a specified number of
25 days, not to exceed three, not counting any day on which

1 the Senate is not in session) is not in order. Debate on
2 any such motion to recommit shall be limited to one hour,
3 to be equally divided between, and controlled by, the mover
4 and the manager of the bill.

5 (7) Immediately following the conclusion of the de-
6 bate on the bill and a single quorum call at the conclusion
7 of the debate if requested in accordance with the rules of
8 the Senate, the vote on advancing the bill to third reading
9 shall occur.

10 (8) A motion to reconsider the vote by which third
11 reading of the bill is agreed to or disagreed to is not in
12 order.

13 (9) Appeals from the decisions of the Chair relating
14 to the application of the rules of the Senate to the proce-
15 dure relating to a qualifying defense supplemental appro-
16 priations bill shall be decided without debate.

17 (d) ACTION IN SENATE ON MEASURE FROM
18 HOUSE.—If, upon the ordering of the third reading of a
19 qualifying defense supplemental appropriations bill in the
20 Senate the Senate has received from the House of Rep-
21 resentatives a qualifying defense supplemental appropria-
22 tions bill that is being held at the desk pursuant to sub-
23 section (c)(1) or, if not, then upon the receipt from the
24 House of Representatives of a qualifying defense supple-

1 mental appropriations bill, the following procedures shall
2 apply:

3 (1) if the bill received from the House of Rep-
4 resentatives is identical to the bill as advanced to
5 third reading by the Senate, the vote on final pas-
6 sage shall be on the bill of the House of Representa-
7 tives; and

8 (2) if the bill received from the House is not
9 identical to the bill as advanced to third reading by
10 the Senate—

11 (A) the bill received from the House shall
12 be considered as amended with the text and
13 title (if different) of the bill of the Senate;

14 (B) the vote on final passage shall be on
15 the bill of the House of Representatives as so
16 amended; and

17 (C) a motion shall be in order to insist on
18 the amendment or amendments of the Senate
19 and to request a conference with the House of
20 Representatives on the disagreeing votes of the
21 two Houses thereon.

22 (e) ACTION IN HOUSE ON REQUEST FOR CON-
23 FERENCE FROM THE SENATE.—Upon receiving from the
24 Senate a message that the Senate has passed with an
25 amendment or amendments a qualifying defense supple-

1 mental appropriations bill and that the Senate insists
2 upon its amendment or amendments and requests a con-
3 ference of the two Houses on the disagreeing votes there-
4 on, the House of Representatives shall be considered to
5 have disagreed to the amendment or amendments of the
6 Senate and agreed to the conference requested by the Sen-
7 ate.

8 (f) LIMITATION PENDING CONCLUSION OF CON-
9 FERENCE.—After a conference on the disagreeing votes of
10 the two Houses on a qualifying defense supplemental ap-
11 propriations bill has been agreed to under subsection (e),
12 it shall not be in order in the Senate or the House of Rep-
13 resentatives to consider a motion to adjourn that House
14 for a period of more than three days until the committee
15 of conference has filed its report.

16 (g) SENATE ACTION ON CONFERENCE REPORTS,
17 ETC.—(1) A motion in the Senate to proceed to the con-
18 sideration of a conference report on a qualifying defense
19 supplemental appropriations bill may be made even though
20 a previous motion to the same effect has been disagreed
21 to.

22 (2) During the consideration in the Senate of the con-
23 ference report (or a message from the House) on quali-
24 fying defense supplemental appropriations bill, and all
25 amendments in disagreement, and all amendments there-

1 to, and debatable motions and appeals in connection there-
2 with, debate shall be limited to five hours, to be equally
3 divided between, and controlled by, the majority leader
4 and minority leader or their designees. Debate on any de-
5 batable motion or appeal related to the conference report
6 (or a message between Houses) shall be limited to one
7 hour, to be equally divided between, and controlled by, the
8 mover and the manager of the conference report (or a
9 message from the House).

10 (3) Should the conference report be defeated in the
11 Senate, debate on any request for a new conference and
12 the appointment of conferees shall be limited to one hour,
13 to be equally divided between, and controlled by, the man-
14 ager of the conference report and the minority leader or
15 his designee, and should any motion be made to instruct
16 the conferees before the conferees are named, debate on
17 such motion shall be limited to one-half hour, to be equally
18 divided between, and controlled by, the mover and the
19 manager of the conference report. Debate on any amend-
20 ment to any such instructions shall be limited to 20 min-
21 utes, to be equally divided between and controlled by the
22 mover and the manager of the conference report. In all
23 cases when the manager of the conference report is in
24 favor of any motion, appeal, or amendment, the time in

1 opposition shall be under the control of the minority leader
2 or his designee.

3 (4) In any case in which there are amendments in
4 disagreement, time on each amendment shall be limited
5 to 30 minutes, to be equally divided between, and con-
6 trolled by, the manager of the conference report and the
7 minority leader or his designee. No amendment that is not
8 germane to the provisions of such amendments shall be
9 received.

10 (h) LEGISLATIVE DAY DEFINED.—For the purposes
11 of this section, with respect to either House of Congress,
12 a legislative day is a calendar day on which that House
13 is in session.

14 (i) SECTION ENACTED AS EXERCISE OF RULE-
15 MAKING POWER OF THE TWO HOUSES.—The provisions
16 of this section are enacted by the Congress—

17 (1) as an exercise of the rulemaking power of
18 the House of Representatives and the Senate, re-
19 spectively, and, as such, shall be considered as part
20 of the rules of either House and shall supersede
21 other rules only to the extent they are inconsistent
22 therewith; and

23 (2) with full recognition of the constitutional
24 right of either House to change the rules (so far as
25 they relate to the procedures of that House) at any

- 1 time, in the same manner, and to the same extent
- 2 as in the case of any other rule of that House.

